

19MAG4219

ORIGINAL

Approved: Jun Xiang  
JUN XIANG  
Assistant United States Attorney

Before: THE HONORABLE KEVIN N. FOX  
United States Magistrate Judge  
Southern District of New York

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	19 Mag.
	:	
- v. -	:	RULE 5(c)(3)
	:	AFFIDAVIT
	:	
JOHN DOE,	:	
a/k/a "Carlos Enrique Rosario,"	:	
a/k/a "Manuel Geovanny	:	
Mateo Pena,"	:	
	:	
Defendant.	x	

SOUTHERN DISTRICT OF NEW YORK, ss:

KEITH HILL, being duly sworn, deposes and says that he is a Special Agent with the Diplomatic Security Service ("DSS") of the U.S. Department of State, and charges as follows:

On or about April 5, 2013 the United States District Court for the Southern District of Florida issued a warrant for the arrest of "John Doe, a/k/a 'Carlos Enrique Rosario'," based on a complaint for a violation of 18 U.S.C. § 1542. A copy of the arrest warrant and complaint are attached hereto and incorporated by reference herein.

I believe that JOHN DOE, a/k/a "Carlos Enrique Rosario," a/k/a "Manuel Geovanny Mateo Pena," the defendant, who was arrested on May 1, 2019, in the Southern District of New York, is the same individual as "John Doe, a/k/a 'Carlos Enrique Rosario'," who is wanted by the United States District Court for the Southern District of Florida.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am a Special Agent with the DSS. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of documents, reports, and records. I have been involved in determining whether JOHN DOE, a/k/a "Carlos Enrique Rosario," a/k/a "Manuel Geovanny Mateo Pena," the defendant, is the same individual as the "John Doe, a/k/a 'Carlos Enrique Rosario'," named in the April 5, 2013 arrest warrant from the United States District Court for the Southern District of Florida. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from proceedings in the United States District Court for the Southern District of Florida, I know that, on or about April 5, 2013, the United States District Court for the Southern District of Florida issued a warrant for the arrest of "John Doe, a/k/a 'Carlos Enrique Rosario'" (the "Arrest Warrant"). The Arrest Warrant was issued based on a complaint charging "John Doe, a/k/a 'Carlos Enrique Rosario'," with a violation of 18 U.S.C. § 1542 (the "Complaint").

3. The Arrest Warrant identified the individual to be arrested as "John Doe, a/k/a 'Carlos Enrique Rosario'," because the true identity of the individual was unknown to law enforcement. As alleged in the Complaint, "John Doe, a/k/a 'Carlos Enrique Rosario'," used a fraudulent Florida driver's license (the "Florida License") bearing the name "Carlos Enrique Rosario" to apply for a U.S. passport on or about June 23, 2010. The photograph on the Florida License was a photograph of "John Doe, a/k/a 'Carlos Enrique Rosario'." Included in the passport application (the "Passport Application") was a photograph of "John Doe, a/k/a 'Carlos Enrique Rosario'."

4. In or about April 2019, I received a tip from other law enforcement officers that the alias "Carlos Rosario Romero" had been listed on insurance claims in connection with automobile accidents occurring in or around the Bronx, New York. Certain of those insurance claims listed "Carlos Rosario Romero" and another individual ("Individual-1") as the claimants and

listed a residence in the Bronx, New York (the "Bronx Address") as Individual-1's address.

5. On April 30, 2019, I and other law enforcement officers set up surveillance at the Bronx Address. Two individuals were observed leaving the Bronx Address. One of the individuals was an individual who matched the photograph of "John Doe, a/k/a 'Carlos Enrique Rosario'," on the Florida License and the photograph on the Passport Application. The other individual appeared to be Individual-1, based on photographs that law enforcement officers had obtained from a passport application by Individual-1.

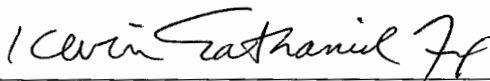
6. On May 1, 2019, I and other law enforcement officers returned to the Bronx Address to execute the Arrest Warrant. Present at that location was JOHN DOE, a/k/a "Carlos Enrique Rosario," a/k/a "Manuel Geovanny Mateo Pena," the defendant, who was the same individual that I and other law enforcement officers observed on April 30, 2019, who matched the photograph of "John Doe, a/k/a 'Carlos Enrique Rosario'," on the Florida License and the photograph on the Passport Application. During the arrest, the defendant provided two forms of identification: (1) a Dominican Republic passport bearing the name "Manuel Geovanny Mateo Pena" and (2) a U.S. Social Security card bearing the name "Manuel G. Mateo." The photograph on the Dominican Republic passport matched the defendant and also matched the photograph of "John Doe, a/k/a 'Carlos Enrique Rosario'," on the Florida License and the photograph on the Passport Application. Law enforcement officers submitted fingerprints taken from the defendant following the arrest to a law enforcement database. The fingerprints matched an individual previously arrested under the identity "Ricardo Pena" with multiple aliases, including "Manuel Geovanny Mateo Pena." Based on the foregoing, I believe that JOHN DOE, a/k/a "Carlos Enrique Rosario," a/k/a "Manuel Geovanny Mateo Pena," the defendant, is the same person as "John Doe, a/k/a 'Carlos Enrique Rosario'," who is wanted by the United States District Court for the Southern District of Florida.

WHEREFORE, I respectfully request that JOHN DOE, a/k/a "Carlos Enrique Rosario," a/k/a "Manuel Geovanny Mateo Pena," the defendant, be imprisoned or bailed as the case may be.



KEITH HILL  
Special Agent  
Diplomatic Security Service  
U.S. Department of State

Sworn to before me this  
1st day of May, 2019.



THE HONORABLE KEVIN N. FOX  
United States Magistrate Judge  
Southern District of New York

## UNITED STATES DISTRICT COURT

for the  
Southern District of Florida

United States of America

v.

JOHN DOE, a/k/a "Carlos Enrique Rosario,"

Defendant.

Case No.

13-2460-white

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) JOHN DOE, a/k/a "Carlos Enrique Rosario"

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☒ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

False Statement in Passport Application, in violation of Title 18, United States Code Section 1542.

Date: 04/05/2013

City and state: Miami, Florida

Certified to be a true and correct copy of the document on file  
 Steven M. Lammert, Clerk,  
 U.S. District Court  
 Southern District of Florida  
 By: *[Signature]*  
 Date: 4-5-13  
 Deputy Clerk

Issuing officer's signature

Patrick A. White, U.S. Magistrate Judge

Printed name and title

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 13-2460-white

UNITED STATES OF AMERICA

vs.

JOHN DOE,  
a/k/a CARLOS ENRIQUE ROSARIO,

Defendant.

COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 14, 2003? \_\_\_\_\_ Yes X No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to September 1, 2007? \_\_\_\_\_ Yes X No

Respectfully submitted,

WIFREDO A. FERRER  
UNITED STATES ATTORNEY

BY: 

SARAH J. SCHALL  
ASSISTANT UNITED STATES ATTORNEY  
Court ID No. A5501805  
99 N. E. 4th Street  
Miami, Florida 33132-2111  
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AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Southern District of FloridaUnited States of America  
v.  
JOHN DOE, a/k/a "Carlos Enrique Rosario"

Case No.

13-2460-White

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 23, 2010 in the county of Miami-Dade in the  
Southern District of Florida, the defendant(s) violated:Code Section  
18 U.S.C. 1542Offense Description,  
False Statement in Passport Application

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.  
Complainant's signatureBryan J. Baer, Special Agent, DSS  
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/05/2013  
Judge's signatureCity and state: Miami, FloridaPatrick A. White, U.S. Magistrate Judge  
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Bryan J. Baer, being duly sworn, state the following:

1. I am a Special Agent with the United States Department of State Diplomatic Security Service (hereinafter referred to as "DSS"), and have been so employed since 2004. I am currently assigned to the Miami Field Office. I conduct investigations into criminal violations of the laws related to U.S. passports, U.S. visas, and other travel documents used to cross international borders.
2. The statements contained in this affidavit are based upon my own personal knowledge, as well as information provided to me by other law enforcement officers. Because this affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint, it does not include every fact known by me in connection with this investigation.
3. On June 23, 2010, an individual purporting to be Carlos Enrique Rosario, born October 17, 1958, applied for a U.S. passport at the El Mercado Hialeah, Florida acceptance facility and claimed on the application that he was never issued a U.S. passport. The subject submitted a Florida Driver's License and represented that it was proof of his identity. The subject swore to the information contained within the application and it was then transmitted for processing to the Department of State.
4. In Form DS-11 (Application for U.S. Passport), the individual purporting to be Carlos Enrique Rosario indicated that he had never previously been issued a U.S. passport. An investigation revealed that a passport had in fact been issued in March of 2005, for an individual purporting to be Carlos Enrique Rosario. This individual provided the same name, date of birth and social security information, as was included in the application submitted on June 23, 2010. However, the



photograph that was included in the 2005 application did not match the photograph that was submitted with the 2010 application.

5. An investigation by law enforcement revealed that the Florida driver's license that was submitted with the June 23, 2010 passport application had been acquired using what was determined to be a fraudulent Puerto Rican driver's license (License No. 4334960).

6. A Puerto Rican driver's license database search was conducted using license number 4334960. The results indicated that license number 4334960 belonged to an individual identified as Deybi V. Paredes Montilla. A search of the Puerto Rican database indicated that Carlos Enrique Rosario's license number was in fact 1200171.

7. Law enforcement's review of records maintained by the Department of Health, Demographic Registry of Puerto Rico (hereinafter "the Bureau of Vital Statistics") revealed that the true Carlos Enrique Rosario (with same date of birth, place of birth, and social security number provided in the June 23, 2010 passport application) died on December 14, 2007 in Rio Piedras, Puerto Rico.

8. On July 9, 2012, in an attempt to identify the individual who submitted the passport application on June 23, 2010, in the name of Carlos Enrique Rosario, Diplomatic Security agents called the subject applicant using the number listed on the Form DS-11. The individual who answered the phone identified himself as Carlos Enrique Rosario. The DSS agents requested an interview with the subject on July 11, 2012. The subject agreed to the interview but failed to make his appointment.

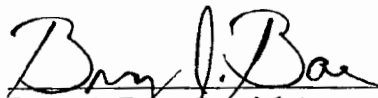
9. On July 13, 2012, DSS agents visited the home listed in the June 23, 2010 passport application. An investigation by law enforcement revealed that the subject had moved from the residence two days prior to their arrival. Law enforcement confirmed that the individual, who

claimed to be Carlos Enrique Rosario, had lived at the residence for a period of five (5) years prior to his departure. Residential records indicated that the tenant's name was listed as Carlos Enrique Rosario.

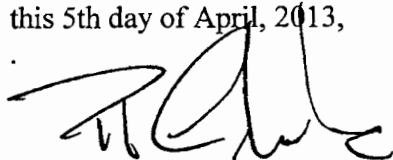
10. In February of 2013, Carlos R. Romero's insurance policy was updated with the Florida Department of Motor Vehicles. The same driver's license number that had been used for the fraudulent passport application on June 23, 2010, was used to update the insurance policy.

11. As of today's date, law enforcement does not know the true identity of the individual who submitted the passport application on June 23, 2010. Therefore, the subject is identified as JOHN DOE, a/k/a Carlos Enrique Rosario.

12. Based on the foregoing, your Affiant states that there is probable cause to believe that, on or about June 23, 2010, JOHN DOE knowingly made a false statement in an application for passport with the intent to induce or secure the issuance of a passport under the authority of the United States, for his own use or the use of another, contrary to the laws regulating the issuance of passports, in violation of Title 18 United States Code, Section 1542.

  
Bryan J. Baer, Special Agent  
United States Department of State  
Diplomatic Security Service

Sworn to and subscribed before me  
this 5th day of April, 2013,



PATRICK A. WHITE  
UNITED STATES MAGISTRATE JUDGE